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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,679	07/03/2001	Emanuel Kulhanek	KULE101	1751

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Holland Law Office, P.C.
Suite 305
802 W. Bannock
P.O. Box 1840
Boise, ID 83701

EXAMINER

COLLINS, GIOVANNA M

ART UNIT PAPER NUMBER

3679

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,679

Applicant(s)

KULHANEK, EMANUEL

Examiner

Giovanna M. Collins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 8 and 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 23, 61 and 68. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to because in Figure 2, it is unclear what the lead line for reference 110 is pointing to. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: On page 4, line 23, reference character "23" has been used to designate both "gripper blocks" and "chains"

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 4-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 4 recites the limitation "the power tongs" in lines 3 and 8 and "the well" in lines 14 and 15. There is insufficient antecedent basis for these limitations in the claim, as these limitations have not been previously recited in claim 4.

Claims 5-7 depend from claim 4 and likewise are indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Rike et al. ('818).

Rike et al. disclose (see Fig. 1) a continuous feed injection unit comprising a first hydraulic motor (21); a second hydraulic motor (see Fig. 7, 80); cooperation continuous well string gripping chains connection (22, see Fig. 7, at 82) to be driven by the first and second hydraulic motors; a hydraulic power supply (see col. 7, lines 12-15) connected to provide pressurized fluid to the first and second hydraulic motors; a control system (see Fig. 10) from the hydraulic power supply; and the control system for the hydraulic power supply having a motor speed control valve (see Fig. 10, at 260) with at least a first and second operating configuration, the first operating configuration providing power fluid to the first and second hydraulic motors in parallel (see col. 8, lines 48-52) and the second operating configuration providing power fluid to the first and second motors in series (see col. 7, lines 35-47).

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Referring to claim 2, Rike et al. disclose the continuous feed injection unit of claim 1 in which the control system for the hydraulic power supply incorporate a motor direction control valve (216) through which the power fluid flows, the motor direction control valve been configured to reverse flow of power fluid through the first and second hydraulic motors (see col. 7, lines 47-62).

Referring to claim 3, Rike et al. disclose the continuous feed injection unit of claim 1 comprises a first continuous chain (22) and a second continuous chain (see Fig. 7, at 82), the first continuous chain being driven by the first hydraulic motor (21) and the second continuous being driven by the second hydraulic motor (80).

Referring to claim 4, Rike et al. a service rig, comprising a mast (11); a hydraulic power supply (see col. 7, lines 12-15) provided adjacent a mast; a first hydraulic motor (21) mounted on the mast, a return (212) for hydraulic fluid used by the hydraulic motor; cooperating continuous well string gripping chains (31) connected to be driven by the first hydraulic motor; a control system (see Fig. 10) for the hydraulic power supply; and the control system for the hydraulic power supply having a motor direction control valve (216) with at least a first, second and third operating configuration, the first operating configuration providing power fluid to the first hydraulic motor capable of lifting well string from the well (see col. 7, lines 25-46) the second operating configuration providing power fluid to the first hydraulic motor capable of injecting well string into the well (see col. 7, lines 47-62) and the third operating configuration allowing power fluid to flow from the hydraulic power supply directory to the return (when valve 216 is lined up such that line 213 flows to line 225).

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Referring to claim 5, Rike et al. disclose the service rig of claim 4, further comprising a second hydraulic motor (80), the second hydraulic motor being powered by the hydraulic fluid power supply and cooperating with the first hydraulic motor under control of the control system to drive the continuous well string gripper chains.

Referring to claim 6, Rike et al. disclose the service rig of claim 5, further in which the control system further comprises a motor speed control valve (see Fig. 10, at 260) with at least a first and second operating configuration, the first operating configuration providing power fluid to the first and second hydraulic motors in parallel (see col. 8, lines 48-52) and the second operating configuration providing power fluid to the first and second motors in series (see col. 7, lines 35-47).

Referring to claim 7, Rike et al. disclose the service rig of claim 5 in which the continuous well string gripping chains comprises a first continuous chain (31) and a second continuous chain (see Fig. 7, at 82) the first continuous chain being driven by the first hydraulic motor (21) and the second continuous chain being driven by the second hydraulic motor (80).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 4,655,291 to Cox discloses a service rig with motor direction control valve with first, second, and third operation configurations.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna M. Collins whose telephone number is 703-306-5707. The examiner can normally be reached on 7:30-4 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on 703-308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

gmc
November 26, 2002


DAVID BAGNELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600